

to *Aspergillus* spp., *Bacillus* spp., *Entomophthora* spp., *Beauveria* spp., *Cordyceps* spp., and *Saccharomyces* spp.

*Exotic bee parasites.* Bee parasites of foreign origin, including but not limited to *Coelioxys* spp. and *Chrysis* spp., *Varroa jacobsoni*, *Euvarroa sinhai*, *Tropilaelaps clareae*, and *Acarapis woodi*.

*Import (importation, imported).* To import or move into the United States.

*Inspector.* Any employee of Plant Protection and Quarantine, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, or other person authorized by the Deputy Administrator in accordance with law to enforce the provisions of this subpart.

*Person.* Any individual, corporation, company, society, association, or any other organized group.

*Plant pest.* The egg, pupal, and larval stages as well as any other living stage of any insects, mites, nematodes, slugs, snails, protozoa, or other invertebrate animals, bacteria, fungi, or other parasitic plants or reproductive parts thereof, viruses, or any organisms similar to or allied with any of the foregoing, or any infectious substances, which can directly or indirectly injure or cause disease or damage in any plants or parts thereof, or any processed, manufactured, or other products of plants.

*Plant Protection and Quarantine.* The organizational unit within the Animal and Plant Health Inspection Service, U.S. Department of Agriculture, delegated responsibility for enforcing provisions of the Federal Plant Pest Act and related legislation and regulations promulgated thereunder.

*Secretary.* The Secretary of Agriculture, or any other officer or employee of the Department of Agriculture to whom authority to act in his or her stead has been or may hereafter be delegated.

*United States.* The States, District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands of the United States.

#### § 319.76-2 Restricted articles.

The following articles from any country or locality other than Canada are restricted articles:

(a) Live bees, other than honeybees of the genus *Apis*, in any life stage;<sup>1</sup>

(b) Dead bees of any genus;

(c) Used bee boards, hives, nests, and nesting material;

(d) Used beekeeping equipment, e.g. smokers, hive tools, gloves or other clothing, and shipping containers;

(e) Beeswax, unless it has been liquefied;

(f) Pollen for bee feed; and

(g) Honey for bee feed.

[50 FR 24172, June 10, 1985, as amended at 60 FR 6000, Feb. 1, 1995]

#### § 319.76-3 Permits.

(a) A restricted article may be imported only after issuance of a written permit by Plant Protection and Quarantine.

(b) An application for a written permit must be submitted to the Animal and Plant Health Inspection Service, Plant Protection and Quarantine, Biological Assessments and Taxonomic Support, 4700 River Road Unit 133, Riverdale, Maryland 20737-1236, and should be submitted at least 30 days prior to arrival of the article at the U.S. port of entry. The completed application does not have to be on any particular form but must indicate that it is an application for a written permit, and include the following information:

(1) Name, address, and telephone number of the importer;

(2) Approximate quantity and kinds of articles intended to be imported;

(3) Country or locality of origin;

(4) Intended United States port of entry;

(5) Means of transportation; and

(6) Expected date of arrival.

(c) After receipt and review of the application by Plant Protection and Quarantine, a written permit indicating the applicable conditions in this subpart for importation shall be issued for the importation of the articles specified in the application if such articles appear to be eligible to be imported. Even though a written permit has been issued for the importation of an article, it may be moved into the United States from the port of entry

<sup>1</sup>Regulations regarding the importation of live honeybees of the genus *Apis* are set forth in 7 CFR part 322.